

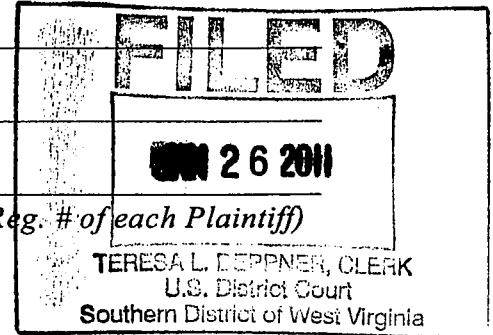
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA

Charles D Turner

08752028

(Enter above the full name of the plaintiff
or plaintiffs in this action).

(Inmate Reg. # of each Plaintiff)



VERSUS

CIVIL ACTION NO.

(Number to be assigned by Court) 5:11-0060

Berkley Correction Inst.
Warden, Mr Ziegler
Head Nurse, Mr Thompson
Second in Charge, Mr Bailey

(Enter above the full name of the defendant
or defendants in this action)

COMPLAINT

I. Previous Lawsuits

- A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to your imprisonment?

Yes _____

No ☒

B. If your answer to A is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline).

1. Parties to this previous lawsuit:

Plaintiffs:

NONE

Defendants:

2. Court (if federal court, name the district; if state court, name the county);

3. Docket Number:

4. Name of judge to whom case was assigned:

5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?)

6. Approximate date of filing lawsuit:

7. Approximate date of disposition:

II. Place of Present Confinement: _____

A. Is there a prisoner grievance procedure in this institution?

Yes X No _____

B. Did you present the facts relating to your complaint in the state prisoner grievance procedure?

Yes X No _____

C. If you answer is YES:

1. What steps did you take? 8, 9, 10, Fed 11

eleven being the 11th court

2. What was the result? My name is on

the 100 list when

they got to you

D. If your answer is NO, explain why not: _____

III. Parties

(In item A below, place your name and inmate registration number in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.)

A. Name of Plaintiff: Charles Turner 08752028

Address: Fed. Correction Inst. Building 20-101

Bedford, Virginia 225813

B. Additional Plaintiff(s) and Address(es): _____

(In item C below, place the full name of the defendant in the first blank, his/her official position in the second blank, and his/her place of employment in the third blank. Use item D for the names, positions, and places of employment of any additional defendants.)

C. Defendant: Charles J Turner
is employed as: ordely-
at _____

D. Additional defendants: WEEK-END ordely
IN OAK-AV

IV. Statement of Claim

State here as briefly as possible the facts of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

Subject - Need Dentures
Arrived At Berkeley IN
December 23, 08, I am a
Diabetic, take 1000 Mg of Metformin
Morning & Night, Berkeley
does NOT let you check BLOOD
sugar unless you are an INSULANT,
they gave me a testy October
18-2010 - I still Don't
Have Teeth, Neede d Badley

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IV. Statement of Claim (continued):

My D.O.B. is 11-30-1940 I
 Have Been in Military
 I picked up a Armed Career
 Criminal - 180 Months in Southern
 Indiana, went in front of
 Sarah Evans Barker, Counsel,
 Jennifer H Culotta, Appointed
 Never Been in Prison before
 Graduated from High School 1959

V. Relief

State briefly exactly what you want the court to do for you. Make no legal arguments.
Cite no cases or statutes.

I need the sum of 50,000⁰⁰
 For Care / Punishment
 Pain and Suffering - I
 AM tired of cat food and
 Peanut Butter.

They called Me to Med
 Day before Yesterday to
 Clean My teeth, I Haven't
 Had Any since, 2007, September

V. Relief (continued)):

2 am asking for 25,000
A year for NONSENSE
total fifty thousand AND
A set of DENTURES OR
Move Me to Ap/see when they
Make teeth

VII. Counsel

- A. If someone other than a lawyer is assisting you in preparing this case, state the person's name:

None

- B. Have you made any effort to contact a private lawyer to determine if he or she would represent you in this civil action?

Yes _____

No ☒

If so, state the name(s) and address(es) of each lawyer contacted:

If not, state your reasons:

Suit is self
explanatory in Exemptable

- C. Have you previously had a lawyer representing you in a civil action in this court?

Yes _____

No ☒

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If so, state the lawyer's name and address:

Signed this 20 day of January, 2011.

Charles D Turner

Signature of Plaintiff or Plaintiffs

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 1-20-2011
(Date)

Charles D Turner
Signature of Movant/Plaintiff

None
Signature of Attorney
(if any)

Last Name

TURNER

First Name

CHARLES

Middle Name

D

Suffix

Ht. 5' 10"

Wt. 185

Hr. GRY

Ey. BLU

REG# 08752-028 BEC

12-23-2008



08752-028 TURNER

**U.S. Department of Justice
Federal Bureau of Prisons**

**Discipline Hearing Officer Report (DHO)
Incident Report Number: 1849846**

FCI Beckley

Security Level - Medium

Name of Inmate: ~~TURNER, Charles D.~~
Date of Incident Report: March 27, 2009
Date of Incident: March 27, 2009

Register Number: 08752-028
Unit: Oak
Offense Code(s): 203

Summary of Charges

- Threatening Another with Bodily Harm

I. NOTICE OF CHARGE (S)

- A. Advanced written notice of charge (copy of Incident Report) was given to the inmate on March 27, 2009, by Lieutenant D. Murphy.
- B. The DHO Hearing was held on April 7, 2009, at 8:35 a.m.
- C. The inmate was advised of the rights before the DHO by Counselor Midgley on April 1, 2009, and a copy of the advisement of rights form is attached.

II STAFF REPRESENTATIVE

- A. Inmate requested a staff representative? Yes.
- B. Dr. Kathrine McDaniel, stated the inmate only asked me to attend the hearing with him.

III PRESENTATION OF EVIDENCE

- A. Inmate admitted the charge.
- B. Summary of Inmate Statement: DHO Kilgore read aloud Section 11 of the Incident Report and asked inmate Turner if it were true? He said, "No. I told him I was going to kick his ass. What is the Warden doing shaking inmates down, anyways. He's got staff to do that for him." The DHO asked him if he was pleading guilty or not guilty to the charge? He said, "Guilty." He went on to explain that Nurse White is a former drill instructor and thinks he's a bad ass. He said he, himself, is a former Army Ranger. He said Nurse White needs to learn how to talk to people. When someone shows him respect, he reciprocates, but he is 69 years old and refuses to put up with someone talking to him like he is a piece of shit.

Inmate Name: TURNER, Charles D.

Reg. No.: 08752-028

Hearing Date: April 7, 2009

Incident Report Number: 1849846

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C. The inmate requested witnesses? No.

D. Documentary Evidence: In addition to the Incident Report and Investigation, the DHO considered the following documents: N/A

E. Confidential Information: No confidential information was used.

IV FINDINGS OF THE DHO

The following act was committed: **Code 203, Threatening Another with Bodily Harm**

V SPECIFIC EVIDENCE RELIED ON TO SUPPORT FINDINGS (Physical evidence, observations, written documentation, etc.):

I find you committed the prohibited act of Threatening Another with Bodily Harm, Code 203, of the Inmate Discipline Policy, while incarcerated at the Federal Correctional Institution, Beckley, West Virginia, on March 27, 2009 at about 2:30 p.m., in Oak A upper Unit, when you approached the warden and made several negative comments about the medical and dental care you were receiving at FCI Beckley. During that conversation, you told the Warden you would, "crack White's eyes," referring to Clinical Nurse Conley White.

The evidence relied upon to support this finding was the written statement of D. Berkebile, Warden, who provided a written statement wherein he reported you made the above quoted comment to him on the date and time, and at the location cited above.

At the DHO hearing, you pleaded guilty as charged and claim you actually told the Warden you would "Kick his ass" when you referred to Nurse White. You went on to complain about how Nurse White talks to people and stated you are too old to let anyone talk to you disrespectfully. Accordingly, the charge is sustained. And as we discussed at the hearing, if you believe a staff member has spoken to you or treated you disrespectfully, you have every right to file an Administrative Remedy Complaint and have the matter looked into, but you have to measure your comments, as communicating or conveying an intent to harm another person violates Code 203 of the Inmate Discipline Policy.

VI SANCTION OR ACTION TAKEN

203 30 days Disciplinary Segregation - suspend 15 days of this sanction, pending 90 days clear conduct

Disallow 27 days Good Conduct Time (GCT) from 010-PLRA

Inmate Name: TURNER, Charles D.

Reg. No.: 08752-028

Hearing Date: April 7, 2009

Incident Report Number: 1849846

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VII REASON FOR SANCTION OR ACTION TAKEN

The action on the part of any inmate to threaten any staff member undermines the staff member's ability to effectively perform his or her official duties, and causes a serious threat to the secure and orderly running of the institution. Inmates may not behave in this manner without suffering negative consequences.

I have imposed a 30 day period of Disciplinary Segregation and disallowed 27 days of your Good Conduct Time, to hold you accountable for threatening a staff member in this instance, and to deter you from future behavior of this sort. To strengthen the deterrent factor and to motivate you toward using the proper channels to address future complaints, I have provided you with an opportunity to avoid serving half of the DS sanction, provided you maintain clear conduct for the next 90 days.

VIII APPEAL RIGHTS: Yes. The inmate has been advised of the findings, specific evidence relied on, action and reasons for the action. The inmate has been advised of his right to appeal this action within 20 calendar days following receipt of the DHO report under the Administrative Remedy Procedure. A copy of the report has been given to the inmate.

IX DISCIPLINE HEARING OFFICER

Charles E. Kilgore, Jr.

Printed Name

Signature

Date

Report delivered to inmate by:

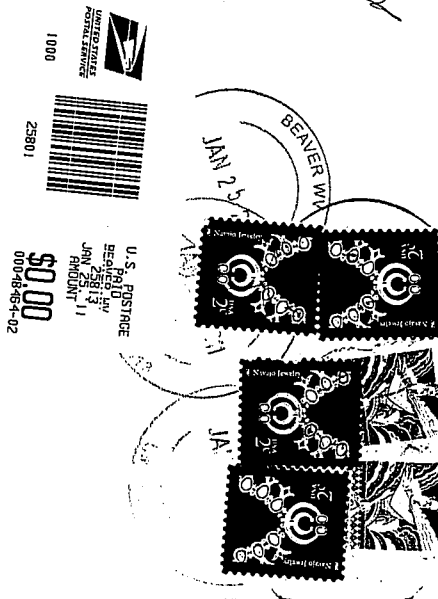
Signature

Date

0000-1505
0000-1505

Charles F. Turner 08752028
Federal Correction Institution
Beekley P.O. Box 350
Beaver, W Virginia 25813

Legal Mail
Clark County State District Court
110 North Alder St. Room 119
Beekley, W Virginia 25801



DATE 1-24-11 BY: AVH: GAV 15613

THE ENCLOSED LETTER WAS PROCESSED THROUGH THE MAILING MACHINE. IF YOU WOULD LIKE TO SOLID THE LETTER WAS BEING SENT TO YOU, IT IS SUGGESTED IF THE NUMBER HAS BEEN 07, PLEASE OVERWAVE THIS LETTER TO THE NATIONAL OFFICE. YOU MAY WISH TO REQUEST THE NATIONAL FOR FURTHER INFORMATION OF THE NATIONAL IF THE NUMBER HAS BEEN 07, PLEASE RETURN THE ENCLOSURE TO THE ABOVE ADDRESS.